

AB:JV

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
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UNITED STATES OF AMERICA

- against -

KOREY LOWE,

Defendant.

AFFIDAVIT AND COMPLAINT
IN SUPPORT OF AN APPLICATION
FOR AN ARREST WARRANT

19-MJ-823

(18 U.S.C. § 922(g)(1))

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EASTERN DISTRICT OF NEW YORK, SS:

DEBRA LAWSON, being duly sworn, deposes and states that she is a
Detective with the New York City Police Department, duly appointed according to law and
acting as such.

On or about September 8, 2019, within the Eastern District of New York, the
defendant KOREY LOWE, knowing that he had been previously convicted in a court of one
or more crimes punishable by imprisonment for a term exceeding one year, did knowingly
and intentionally possess in and affecting interstate or foreign commerce, a firearm, to wit, .9
Millimeter SIG SAUER pistol, Model P938 with serial number 52A076712.

(Title 18, United States Code, Section 922(g)(1))

The source of your deponent's information and the grounds for her belief are as follows:¹

1. I am a Detective with the New York City Police Department ("NYPD") and have been involved in the investigation of numerous cases involving the recovery of firearms and ammunition. I am familiar with the facts and circumstances set forth below from my participation in the investigation; my review of the investigative file, including the defendant's criminal history record; and from reports of other law enforcement officers involved in the investigation. Where I describe the statements of others, I am doing so only in sum and substance and in part.

2. On or about September 9, 2019, at approximately 1:20 a.m., three New York Police Department ("NYPD") officers were traveling eastbound on Newport Street in Brooklyn, New York, in an unmarked vehicle. 901 Saratoga Avenue is an apartment building located on the southeast corner of the intersection of Newport Street and Saratoga Avenue.

3. An entrance for 901 Saratoga is located on the south side of Newport Street, east of the intersection. On September 9, 2019, at approximately 1:20 a.m., the 901 Saratoga entrance was well-lit.

4. As the unmarked NYPD vehicle carrying the three officers traveled eastbound on Newport Street, Officer 1,² who was seated in the front passenger seat,

¹ Because this affidavit is being submitted for the limited purpose of establishing probable cause to arrest, I have not set forth every fact learned during the course of this investigation.

² Because multiple law enforcement personnel were involved in the arrest of this defendant, I refer to the primary officer as Officer-1. The identity of this individual is known to the affiant, and I have interviewed this individual about the events set forth herein.

observed the defendant KOREY LOWE standing in front of the entrance to 901 Saratoga. Officer 1 observed that the defendant was holding an L-shaped object that was in, or wrapped in, a small bag. Based on his training and experience, Officer 1 believed that the object was a firearm.

5. Officer 1 exited the vehicle in front of 900 Saratoga. As Officer 1 approached and observed the defendant, the defendant placed the small bag – and the L-shaped object within the bag – into a pocket on the front of the defendant's sweatshirt. The large pocket on the front of the defendant's sweatshirt could be accessed on either the right or left side.

6. Officer 1 identified himself as a police officer to the defendant as he approached the defendant. As Officer 1 approached the defendant, the defendant acted nervously and fidgety, touching objects within his front sweatshirt pocket.

7. Officer 1 advised the defendant to keep his hands out of his front pocket. The defendant was not compliant, placing his hands in his pocket and then removing them again.

8. Fearing for his safety, Officer 1 reached into the defendant's pocket and recovered the black bag from the defendant's front pocket. From holding the bag, it was evident to Officer 1 that it contained a firearm. The black bag contained a firearm, specifically a .9 Millimeter SIG SAUER pistol, Model P938 with serial number 52A076712.

9. The defendant was arrested and taken into custody.

10. I have reviewed the defendant's criminal history, which revealed that, first, in 2011, the defendant was convicted of Criminal Possession of a Weapon in the 2nd Degree – Loaded Firearm in Queens County Supreme Court, and was sentenced to seven

years of incarceration and five years of supervised release; and (b) in 2005, the defendant was convicted to Criminal Possession of a Weapon in the 2nd Degree – Loaded Firearm in Queens County Supreme Court, and was sentenced to a forty-two month concurrent term.

11. I have conferred with a nexus expert, a Special Agent of the Bureau of Alcohol, Tobacco, Firearms, and Explosives (“ATF”), who has informed me, in substance and in part, that the firearm recovered in this case was manufactured outside the state of New York.

WHEREFORE, your deponent respectfully requests an arrest warrant for the defendant KOREY LOWE so that he may be dealt with according to law.



DEBRA LAWSON

Detective

New York City Police Department

Sworn to before me this
13th day of September, 2019

/s/ **LB**

THE HONORABLE LOIS BLOOM
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK